EXHIBIT 9

1   IN THE UNITED STATES DISTRICT COURT

2   FOR THE EASTERN DISTRICT OF VIRGINIA

3   RICHMOND DIVISION

4

5   --
                                            :
6   ePLUS, INC.   :   Civil Action No.
                                            :   3:09CV620
7   vs.   :
                                            :
8   LAWSON SOFTWARE, INC.   :   January 13, 2011
                                            :
9   --

10

11   COMPLETE TRANSCRIPT OF THE JURY TRIAL

12   BEFORE THE HONORABLE ROBERT E. PAYNE

13   UNITED STATES DISTRICT JUDGE, AND A JURY

14
       APPEARANCES:
15
       Scott L. Robertson, Esquire
16   Michael G. Strapp, Esquire
       Jennifer A. Albert, Esquire
17   David M. Young, Esquire
       Goodwin Procter, LLP
18   901 New York Avenue NW
       Suite 900
19   Washington, D.C. 20001

20   Craig T. Merritt, Esquire
       Christian & Barton, LLP
21   909 East Main Street
       Suite 1200
22   Richmond, Virginia 23219-3095
       Counsel for the plaintiff

23

24   Peppy Peterson, RPR
                  Official Court Reporter
25   United States District Court

1   your definitions.

2   Answer: And the fact is, all we got after that was

3   36 customers out of hundreds of customers in which they said,

4   here, here's a few customers that we've done data migration

5   for --

6   THE COURT: What are you doing?

7   MR. McDONALD: I was going to offer something, Your

8   Honor, because I think we may not have a dispute on this issue,

9   and we can maybe cut it short.

10   THE COURT: Let's see if we can speed it up.

11   MR. McDONALD: Since damages are out of the case, I

12   don't think we're going to dispute now -- we don't have to

13   worry about how many customers or whether there was some that

14   we didn't help load the data. I don't think this is an issue.

15   THE COURT: You're not going to offer evidence on

16   that topic.

17   MR. McDONALD: No, it's not a defense that we're

18   asserting.

19   THE COURT: Then it's moot.

20   MR. ROBERTSON: All right, thank you, Your Honor.

21   That's a good resolution.

22   THE COURT: Do you know how that could have been

23   solved, Mr. Robertson? Let me tell you the way that we did it

24   in the days gone by. The issue was on the table -- Mr.

25   McDonald, this is for both of you.